HON'BLE Dr. JUSTICE G. YETHIRAJULU

W.P.No. 19848 of 2004

DATED: 24-12-2007

Between:

1. **Seelam Rama Krishna and others.**

……. Petitioners

and

1. **The Regional Joint Commissioner, Endowments, Multi Zone-I, Kakinada and three others.**

……. Respondents

THE HON'BE Dr. JUSTICE G. YETHIRAJULU

W.P.No. 19848 of 2004

ORDER:

The petitioners approached this Court through this writ petition seeking to declare the action of the respondents in proposing to evict them from the lands situated in Thondangi Village and Mandal, in pursuance of the auction notice, dated
14-10-2004, as arbitrary and illegal.

The petitioners are claiming that they are the cultivating tenants of the temple land. Their Application to declare them as small farmers is pending with the Assistant Commissioner, Endowments, Rajahmundry. During the pendency of the said Application, the fourth respondent issued a notification proposing to bring the lease hold rights for auction for three years. The notification was issued on 14-10-2004. Stay of auction was granted by this Court and the three years period is over, therefore, no cause of action survives.

The Writ Petition is, accordingly, dismissed as infructuous. However, the petitioners are at liberty to question the action of the respondents, if there is any further proposal to auction the lands without deciding their lands as landless poor. No order as to costs.

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Dr.G. YETHIRAJULU, J

Date: 24-12-2007
YCR